

ENTERED

July 05, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PATRICK HENRY MURPHY, §
§
Plaintiff, §
§
v. §
§ CIVIL ACTION NO. H-19-1106
TDCJ EXECUTIVE DIRECTOR, §
BRYAN COLLIER, et al., §
§
Defendants. §

ORDER

Two days before a scheduled execution in 2019, Plaintiff Patrick Henry Murphy, Jr. filed this lawsuit alleging that limitations on access to his spiritual advisor violated his rights under the First Amendment and the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). After several years of litigation, the only remaining dispute concerns the spiritual advisor’s presence in the pre-execution holding area. The Defendants will now “allow Murphy’s spiritual advisor to be present in the holding area in the hours prior to his execution.” (DE 110 at 2). Accordingly, the Defendants have filed an Unopposed Motion to Dismiss Case as Moot. (DE 110). The Court **GRANTS** the Defendants’ motion.

It is hereby **ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE** as moot.

It is further **ORDERED** that the stay of Murphy’s execution (DE 57) is **LIFTED**.

SIGNED at Houston, Texas on July 5, 2024.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE